



Rep. Brandon W. Phelps

**Filed: 11/6/2014**

09800HB3976ham001

LRB098 15536 RPS 62116 a

1 AMENDMENT TO HOUSE BILL 3976

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3976 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Public Utilities Act is amended by changing  
5 Section 13-703 as follows:

6 (220 ILCS 5/13-703) (from Ch. 111 2/3, par. 13-703)

7 (Section scheduled to be repealed on July 1, 2015)

8 Sec. 13-703. (a) The Commission shall design and implement  
9 a program whereby each telecommunications carrier providing  
10 local exchange service shall provide a telecommunications  
11 device capable of servicing the needs of those persons with a  
12 hearing or speech disability together with a single party line,  
13 at no charge additional to the basic exchange rate, to any  
14 subscriber who is certified as having a hearing or speech  
15 disability by a licensed physician, speech-language  
16 pathologist, audiologist or a qualified State agency and to any

1 subscriber which is an organization serving the needs of those  
2 persons with a hearing or speech disability as determined and  
3 specified by the Commission pursuant to subsection (d).

4 (b) The Commission shall design and implement a program,  
5 whereby each telecommunications carrier providing local  
6 exchange service shall provide a telecommunications relay  
7 system, using third party intervention to connect those persons  
8 having a hearing or speech disability with persons of normal  
9 hearing by way of intercommunications devices and the telephone  
10 system, making available reasonable access to all phases of  
11 public telephone service to persons who have a hearing or  
12 speech disability. In order to design a telecommunications  
13 relay system which will meet the requirements of those persons  
14 with a hearing or speech disability available at a reasonable  
15 cost, the Commission shall initiate an investigation and  
16 conduct public hearings to determine the most cost-effective  
17 method of providing telecommunications relay service to those  
18 persons who have a hearing or speech disability when using  
19 telecommunications devices and therein solicit the advice,  
20 counsel, and physical assistance of Statewide nonprofit  
21 consumer organizations that serve persons with hearing or  
22 speech disabilities in such hearings and during the development  
23 and implementation of the system. The Commission shall phase in  
24 this program, on a geographical basis, as soon as is  
25 practicable, but no later than June 30, 1990.

26 (c) The Commission shall establish a competitively neutral

1 rate recovery mechanism that establishes, ~~authorizing~~ charges  
2 in an amount to be determined by the Commission for each line  
3 of a subscriber to allow telecommunications carriers providing  
4 local exchange service to recover costs as they are incurred  
5 under this Section.

6 (d) The Commission shall determine and specify those  
7 organizations serving the needs of those persons having a  
8 hearing or speech disability that shall receive a  
9 telecommunications device and in which offices the equipment  
10 shall be installed in the case of an organization having more  
11 than one office. For the purposes of this Section,  
12 "organizations serving the needs of those persons with hearing  
13 or speech disabilities" means centers for independent living as  
14 described in Section 12a of the Disabled Persons Rehabilitation  
15 Act and not-for-profit organizations whose primary purpose is  
16 serving the needs of those persons with hearing or speech  
17 disabilities. The Commission shall direct the  
18 telecommunications carriers subject to its jurisdiction and  
19 this Section to comply with its determinations and  
20 specifications in this regard.

21 (e) As used in this Section:

22 "Prepaid wireless telecommunications service" means a  
23 wireless telecommunications service that must be paid for in  
24 advance and is sold in predetermined units or dollars of which  
25 the amount declines with use in a known amount.

26 "Retail transaction" has the meaning set forth in Section

1 10 of the Prepaid Wireless 9-1-1 Surcharge Act.

2 "Telecommunications ~~As used in this Section, the phrase~~  
3 ~~"telecommunications~~ carrier providing local exchange service"  
4 includes, without otherwise limiting the meaning of the term,  
5 telecommunications carriers which are purely mutual concerns,  
6 having no rates or charges for services, but paying the  
7 operating expenses by assessment upon the members of such a  
8 company and no other person.

9 "Wireless telecommunications service" means commercial  
10 mobile service as defined in 47 U.S.C. 332(d).

11 (f) Interconnected VoIP service providers, sellers of  
12 prepaid wireless telecommunications service, and providers of  
13 other wireless telecommunications services in Illinois shall  
14 collect and remit assessments determined by the Commission in  
15 accordance with this Section in a competitively neutral manner  
16 in the same manner as a telecommunications carrier providing  
17 local exchange service; provided, however, that the assessment  
18 imposed on consumers of prepaid wireless telecommunications  
19 service shall be imposed per retail transaction.

20 Interconnected VoIP services shall not be considered an  
21 intrastate telecommunications service for the purposes of this  
22 Section in a manner inconsistent with federal law or Federal  
23 Communications Commission regulation.

24 (g) The provisions of this Section are severable under  
25 Section 1.31 of the Statute on Statutes.

26 (Source: P.A. 96-927, eff. 6-15-10.)

1           Section 99. Effective date. This Act takes effect July 1,  
2    2015.".